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August 4, 2005

**BY HAND DELIVERY**

Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 12th Street, S.W.  
Washington, D.C. 20554

**RECEIVED**

AUG - 4 2005

Federal Communications Commission  
Office of Secretary

Re: Notification of Transfer of Subscribers from ATX Communications, Inc.  
to First Communications LLC – Docket No. 00-257

Dear Secretary Dortch:

Pursuant to Section 64.1120 of the Commission's rules, 47 C.F.R. § 64.1120, First Communications LLC ("First Communications"), by its attorneys, respectfully notifies the Commission that, in furtherance of a transaction whereby First Communications will acquire substantially all of the assets of ATX Communications, Inc.'s ("ATX") Midwest CLEC assets ("CoreComm Midwest"),<sup>1</sup> First Communications intends to acquire all of the customers of CoreComm Midwest. First Communications is complying with the Commission's rules and procedures governing compliance with section 258 of the Communications Act of 1934, as amended, including the provision of advanced written notice to all affected customers.

In conformity with Commission rules, First Communications provides the following information:

<sup>1</sup>

CoreComm Midwest provides service in the affected states under the following names: CoreComm Indiana, Inc., CoreComm Illinois, Inc., CoreComm Michigan, Inc., CoreComm Newco, Inc. and CoreComm Wisconsin, Inc.

No. of Copies rec'd \_\_\_\_\_  
List A B C D E

**BY HAND DELIVERY**

Marlene H. Dortch, Secretary  
August 4, 2005  
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***Parties to the Transaction:*** The parties involved in the transaction are ATX Communications, Inc. ("ATX"), and First Communications LLC ("First Communications"). First Communications entered into the Agreement with ATX to acquire substantially all of the assets of CoreComm Midwest, including its customers.

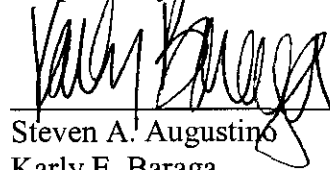
***Types of Telecommunications Services Provided to the Affected Subscribers:*** CoreComm Midwest provides local and long distance resale telecommunications services to both residential and business customers. First Communications will provide the same services to these subscribers. CoreComm Midwest's customers will not experience a diminishment in services as a result of this transaction.

***Date of Transfer of the Subscribers to Acquiring Carrier:*** The acquisition of subscribers from CoreComm Midwest to First Communications, relevant to this Notice, is expected to occur on or after September 3, 2005. First Communications will provide the attached notice to all affected CoreComm Midwest customers at least 30 days prior to the proposed transfer.

Attached to this letter are (a) First Communications' certification of compliance with the requirements of the Commission governing transfers of subscribers, and (b) copies of the notices sent to the affected business and residential subscribers, as required under the rules.

Please contact the undersigned if you have any questions concerning this notification.

Respectfully submitted,



Steven A. Augustino  
Karly E. Baraga  
KELLEY DRYE & WARREN LLP  
1200 19<sup>th</sup> Street, N.W., Suite 500  
Washington, D.C. 20036  
(202) 955-9600

*Counsel for First Communications LLC*

Attachments

# **ATTACHMENT A**

## **CERTIFICATION OF COMPLIANCE**

# CERTIFICATION OF FIRST COMMUNICATIONS LLC.

The undersigned hereby certifies as follows:

1. I have read the foregoing document and hereby verify that the statements therein are true, complete and correct to the best of my knowledge.
2. In accordance with Section 64.1120(e) of the Commission's rules, 47 C.F.R. §64.1120, First Communications LLC will comply with the required FCC procedures for the acquisition of all of the customers of ATX Communications, Inc.'s Midwest CLEC assets including the provision of advanced written notice to all affected subscribers.

FIRST COMMUNICATIONS LLC

By: [Signature]

Name: John Marks

Title: C.O.O.

Date: 8-4-2005

Sworn and subscribed to before me this  
4th day of August \_\_, 2005.

[Signature]  
Notary Public

My Commission expires: \_\_\_\_\_

ERIC S. LOCKSHAW, Notary Public  
Residence - Summit County  
State Wide Jurisdiction, Ohio  
My Commission Expires Feb. 25, 2007



## **ATTACHMENT B**

### **CUSTOMER NOTICE**



**IMPORTANT INFORMATION REGARDING YOUR TELECOMMUNICATIONS SERVICE.**

August 3, 2005

Dear Customer:

We are pleased to share some exciting news about your telephone service. We are proud to announce that, beginning on or about September 3, 2005, your local and long-distance telephone service currently provided by CoreComm in Illinois, Indiana, Michigan, Ohio and Wisconsin,<sup>1</sup> will be provided by First Communications. Services you may receive in other states from CoreComm or its affiliates, including ATX, will not be affected.

**Who is First Communications?**

A group of investors founded the company now known as First Communications in 1984 after the divestiture of AT&T. In 1998, FirstEnergy, the 5th largest investor-owned utility in the U.S., acquired an interest in First Communications. In early 2005, an additional group of investors, McKinley Communications, acquired a majority interest in First Communications. The new investor group brought years of experience in developing and deploying new technologies, such as Wireless Broadband Internet, to the mass market.

First Communications is a full-service telecommunications provider that has served a national customer base for over 20 years. First Communications offers its customers state-of-the-art technologies coupled with first-rate customer care. Our customers receive great savings, personalized customer service, and a wide range of communications solutions to fit specific needs and budgets. For more information about First Communications, please visit the First Communications website at [www.firstcomm.com](http://www.firstcomm.com).

**What does this mean?**

You are now a First Communications customer. We are excited to be your telecommunications provider and we look forward to a long-lasting relationship. Be assured this change in service providers will be beneficial to you. There will be **NO** change to your rates and there will be **NO** interruptions in your service.

With First Communications, you will truly "Be heard". We put our customers first and you can count on First Communications to deliver the right solutions with a personal touch. We are based locally in the Midwest and we can provide the attentive service and support much larger carriers can't deliver. To "Be heard" means you now have access to First Communications knowledgeable representatives and our supportive customer care specialists. There is always a real, live person to answer your calls. You will never have to experience complicated voicemail menus or long, discouraging waits "on hold". You can keep your existing phone number and there are no hidden costs or hassles in becoming a First Communications customer. For customers who currently enjoy CoreComm's internet ISP service, First Communications will also continue to provide those services at the same rates, terms and conditions.

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<sup>1</sup> CoreComm provides service in the affected states under the names: CoreComm Indiana, Inc., CoreComm Illinois, Inc., CoreComm Michigan, Inc., CoreComm Newco, Inc. and CoreComm Wisconsin, Inc. Your current service provided by CoreComm in any other state will not be affected.

First Communications is capable of providing all of the products you subscribed to with CoreComm and much more. Our products and services are developed with our customers' needs first.

- **FirstLocal and Long Distance** - Enjoy consistent local and long distance savings on one easy-to-understand monthly statement.
- **FirstCellular** - You can now subscribe to nationwide cellular coverage that will keep you connected from coast to coast.
- **FirstSpeed** - Whether you need Internet connectivity to your home computer or you need professional data capabilities for your business, FirstSpeed will keep you connected to a world of information at incredibly fast speeds.
- **The Future** - Stay tuned for our Broadband Phone Service that will give you unlimited calling to anyone in the country through your Internet connection for one low monthly price. We are also one of the first companies to test Broadband Internet over Power Lines.

**Will I be charged for this change?**

Absolutely **NOT!** There will be no charge or fee as a result of this transition to First Communications. However, if an inaccuracy in your billing does occur, please contact First Communications. The only difference that you will notice will be the name of your carrier and the look of your new monthly bill.

**When will the Change Occur?**

*No further action is required on your part.* First Communications anticipates that the transfer will occur on or about September 3, 2005 provided that the necessary regulatory approvals have been obtained. Beginning on or after that date, First Communications will be providing your service and CoreComm will no longer be your service provider. First Communications is confident you will find that remaining with us is the smart choice to meet your telecommunications needs; however, First Communications realizes that you have a choice of service providers, and you may choose another carrier at any point. Commercial customers may be subject to applicable contractual termination provisions.

All subscribers receiving this notice, even those who had arranged preferred carrier freezes through their local service providers on the service(s) involved in the transfer, will be transferred to First Communications, unless they select a different carrier before the transfer date. Existing preferred carrier freezes on the service(s) involved in the transfer will be lifted. You must contact your new local service provider (First Communications or other local service provider that you choose) to arrange a new freeze to protect you from unauthorized carrier changes after the transfer.

If you have any questions or concerns regarding billing, repairs, complaints or service needs, please call First Communications at 1.866.339.0950. Or prior to the transfer on or about September 3, 2005, call CoreComm at 1.877.267.3266. Notice of any future changes in rates, terms and conditions of service will be provided in accordance with applicable law.

Welcome to First Communications and thank you for your time.

Sincerely,



Jeff Coursen  
Chief Operating Officer  
CoreComm



Ray Hexamer  
President  
First Communications